

Maine Revised Statutes
Title 17-A: MAINE CRIMINAL CODE
Chapter 5: DEFENSES AND AFFIRMATIVE DEFENSES; JUSTIFICATION

§102-A. MILITARY ORDERS

1. It is a defense if the person engaged in the conduct charged to constitute a crime in obedience to an order of the person's superior in the armed services that the person did not know to be unlawful.

[2007, c. 173, §17 (AMD) .]

2. If the person was reckless in failing to know the unlawful nature of such an order, the defense is unavailable in a prosecution for a crime for which recklessness suffices to establish liability.

[2007, c. 173, §17 (AMD) .]

SECTION HISTORY

1981, c. 324, §25 (NEW). 2007, c. 173, §17 (AMD).

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